

Attorney's Docket No. 226333

Applicant: Kunhardt, et al.

For: Method and Apparatus for Suppression of the Glow-to-Arc Transition  
in Glow Discharges

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am an official of the small business empowered to act on behalf of the concern identified below:

Stevens Institute of Technology  
Castle Point on Hudson  
Hoboken, NJ 07030

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention,

entitled: Method and Apparatus for Suppression of the Glow-to-Arc Transition  
in Glow Discharges

by: Kunhardt, et al.

described in: PCT Application No. PCT/US98/05174 filed on March 17, 1998.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below, and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_ individual                      \_\_\_\_ small business concern                      \_\_\_\_ nonprofit organization

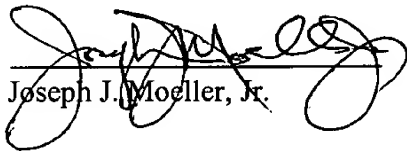
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_ individual                      \_\_\_\_ small business concern                      \_\_\_\_ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any changes in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of person signing: Joseph J. Moeller, Jr.  
Title of person signing: Vice President for the Graduate School and Research Services  
Address of person signing: Stevens Institute of Technology, Castle Point on the Hudson,  
Hoboken, New Jersey 07030

Signature: \_\_\_\_\_

  
Joseph J. Moeller, Jr.

Date: 10/28/97

forms/smntb333.226

#3

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the type:

☐ original  
☐ design  
☐ supplemental

☒ national stage of PCT

☐ divisional  
☐ continuation  
☐ continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

METHOD AND APPARATUS FOR SUPPRESSION OF THE GLOW-TO-ARC TRANSITION  
IN GLOW DISCHARGES

SPECIFICATION IDENTIFICATION

the specification filed on March 17, 1998 and assigned Serial No. PCT/US98/05174.

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37, Code of Federal Regulations, 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent.

## PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

     no such applications have been filed.  
X such applications have been filed as follows.

PRIOR FOREIGN/PCT APPLICATIONS FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION  
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119

<u>COUNTRY</u>	<u>APPLICATION NUMBER</u>	<u>DATE OF FILING</u>	<u>PRIORITY</u>
----------------	---------------------------	-----------------------	-----------------


ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

I hereby claim the benefit under Title 35, United States Code, 120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, 1.56(a), and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent, which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>APPLICATION SERIAL NO.</u>	<u>FILING DATE</u>	<u>STATUS</u>
08/820,013	03/18/97	Pending

POWER OF ATTORNEY

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

(1)

Michael R. Friscia

Reg. No. 33,884

Send correspondence to:

Direct telephone calls to:

Michael R. Friscia

WOLFF & SAMSON

5 Becker Farm Road

Roseland, NJ 07068-1776

Michael R. Friscia

(973) 533-6599

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

1-00 Full name of sole or first inventor:

Erich

First name

E.

M.I.

Kunhardt

Last name

E. Kunhardt  
Inventor's signature

10/11/99  
Date

Country of Citizenship USA

Residence 807 Castle Point Terrace, Hoboken, New Jersey 07030

N.J.

Post Office Address 807 Castle Point Terrace, Hoboken, New Jersey 07030

2-00 Full name of second joint inventor, if any:

Kurt

First name

H.

M.I.

Becker

Last name

Kurt Becker  
Inventor's signature

9/29/99  
Date

Country of Citizenship GERMANY

Residence 25 East 9th Street, Apt. 10B, New York, New York 10003

N.Y.

Post Office Address 25 East 9th Street, Apt. 10B, New York, New York 10003

This declaration ends with this page.